

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

GERALD KINER,

Plaintiff,

v.

CITY OF MEMPHIS, et al.,

Defendants.

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No. 2:23-cv-02805-SHL-tmp

**ORDER DENYING IN PART KINER’S MOTION TO FILE APOLOGY AND
RETRACTION REGARDING AFFIDAVIT OF PREJUDICE OR BIAS**

Before the Court is pro se Plaintiff Gerald Kiner’s Motion to File Apology and Retraction Regarding Affidavit of Prejudice or Bias, filed June 17, 2024. (ECF No. 62.) Because the Court already entered an Order Denying Plaintiff’s Motion for Recusal Due to Bias or Prejudice on May 23 (ECF No. 55), it is too late for Kiner to retract his affidavit of prejudice or bias. Therefore, his motion to retract the affidavit of prejudice or bias is **DENIED**. However, the Court is not offended in the slightest, and there is no need for an apology. Kiner’s additional research on the appointment of counsel in civil matters is acknowledged, as is the overarching sentiment of his apology. Therefore, the motion is not denied in full.

IT IS SO ORDERED, this 21st day of June, 2024.

s/ Sheryl H. Lipman

SHERYL H. LIPMAN
CHIEF UNITED STATES DISTRICT JUDGE